

REMARKS

In the Official Action mailed on **April 14, 2005** the Examiner reviewed claims 1-2, 5-6, 8-9, 12-13, 15-16, 19-20 and 22-24. Claims 1-2, 5-6, 8-9, 12-13, 15-16, and 19-20 were rejected under 35 U.S.C. §102(e) as being anticipated by Drost et al. (USPN 6,472,931, hereinafter "Drost"). Claims 22-24 were objected to as being dependent upon a rejected base claim.

Rejections under 35 U.S.C. §102(e)

Independent claims 1, 8, and 15 were rejected as being anticipated by Drost.

Applicant respectfully points out that subject matter of USPN 6,472,931 (Drost) and the instant application were, at the time of invention, owned by the same person or subject to assignment to the same person, namely Sun Microsystems, Inc. Drost, therefore, is not a valid reference against the instant application per 35 U.S.C. §103(c)(1) and the rejections based upon Drost should be withdrawn. Applicant respectfully submits the attached terminal disclaimer to obviate any double patenting rejection.

Hence, Applicant respectfully submits that independent claims 1, 8, and 15 as presently amended are in condition for allowance. Applicant also submits that claims 2, 5-6, and 22, which depend upon claim 1, claims 9, 12-13, and 23, which depend upon claim 8, and claims 16, 19-20, and 24, which depend upon claim 15, are for the same reasons in condition for allowance and for reasons of the unique combinations recited in such claims.

CONCLUSION

It is submitted that the present application is presently in form for allowance. Such action is respectfully requested.

Respectfully submitted,

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Date: March 29, 2005

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